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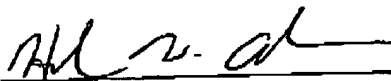
NOV 22 2005

Serial No. 10/673,636
Attorney Docket No: 160-007

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Transmittal x 2	2 pages
Fee Sheet x 2	2 pages
Information Disclosure Statement	2 pages
Statement Under 37 CFR 1.97(e)	1 page
PTO Form 1449	3 pages
Total including this sheet	<u>11 pages</u>

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PTO/SB/21 (08-00)

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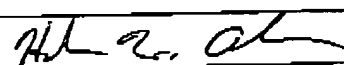
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/673,636
	Filing Date	09/29/2003
	First Named Inventor	Vacon
	Group Art Unit	2687
	Examiner Name	Nguyen
Total Number of Pages in This Submission	Attorney Docket Number	160-007

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) and letter <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Statement Under 37 CFR 1.97(e) - Fee Sheet
Remarks		Please charge any deficiency or credit any overpayment to Deposit Account No. 502569.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Holmes Anderson, Reg. No. 37,272 Steubing McGuinness & Manaras LLP
Signature	
Date	Nov. 22, 2005

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Type or printed name	Christine M. Morrisette	Date	11-22-2005
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/673,636
	Filing Date	09/29/2003
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Signature	
Date	Nov. 22, 2005

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Date	11-22-2005

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

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Effective on 12/8/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☐ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$180.00)**Complete if Known**

Serial Number	10/673,636
Filing Date	09/29/2003
First Named Inventor	Vacon
Examiner Name	Nguyen
Art Unit	2687
Attorney Docket No.	160-007

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☒ Deposit Account Deposit Account Number: 502569 Deposit Account Name: Staubing McGuinness & Manaras LLP

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	0	x	= \$ 0.00			
HP = highest number of total claims paid for, if greater than 20				\$360.00		

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	2	x	=

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41 (a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
29	- 100 = 0	/ 50 = 0 (round up to a whole number)	x \$250.00 =	\$ 0.00
				Fees Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement**\$180.00****SUBMITTED BY**

Signature	<i>W. L. Anderson</i>	Registration No. (Attorney/Agent)	37,272	Telephone	978-264-6664
Name (Print/Type)	Holmes W. Anderson	Date	Nov. 23, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOV 22 2005

Applicant(s): Vacon

Serial No.: 10/673,636

Filed: 9/29/2003

Title: A Wireless Switched Network

Group Art Unit: 2687

Examiner: Nguyen

Attorney Docket No.: 160-007

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
 - ☐ Statement under 37 CFR 1.97(e), or
 - ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☒ under 37 CFR 1.97(d) together with a:
 - ☒ Statement under 37 CFR 1.97(e), and
 - ☒ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware.

11/23/2005 SFELEKE1 00000072 502569 10673636

01 FC:1806 180.00 DA

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

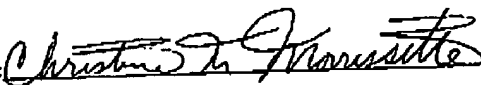
It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

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Date of Deposit: 11-22-2005

Typed Name: Christine M. Morrisette

Signature: 



Holmes W. Anderson
Attorney/Agent for Applicant(s)
Reg. No. 37,272

Date: Nov. 22, 2005

Telephone No.: 978-264-6664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Vacon

Serial No.: 10/673,636

Filing Date: 9/29/2003

Title: A Wireless Switched Network

Attorney Docket No.: 160-007

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Examiner: Nguyen

Group Art Unit: 2687

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STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

() Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or

(X) No item of information contained in the Information Disclosure Statement

-- was cited in a communication from a foreign patent office in a counterpart foreign application, and

-- to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.


Respectfully Submitted,

Vacon

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Date of Deposit: 11-22-2005

Typed Name: Christine M. Morrisette

Signature: By 

Holmes W. Anderson

Attorney/Agent for Applicant(s)

Reg. No.: 37,272

Date: Nov. 22, 2005

Telephone No.: 978-264-6664

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/873,636
		Filing Date	09/29/2003
		First Named Inventor	Vacon
		Art Unit	2887
		Examiner Name	Nguyen
		Attorney Docket Number	160-Q07
Sheet	1	of	3

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-2004/0137915 A1	07/15/2004	Diener et al.	
		US-2003/0207899 A1	11/06/2003	Shpak	
		US-2002/0193113 A1	12/19/2002	Shibutani	
		US-2002/0141375 A1	10/03/2002	Choi	
		US-2003/0022686 A1	01/30/2003	Soomro et al.	
		US-2002/0176437 A1	11/28/2002	Busch et al.	
		US-2003/0002456 A1	01/02/2003	Soomro et al.	
		US-2002/0060995 A1	05/23/2002	Cervello et al.	
		US-6,471,863 B1	05/25/2004	Chiang et al.	
		US-6,560,482 B1	05/06/2003	Ravi et al.	
		US-6,332,007 B1	12/18/2001	Wu et al.	
		US-6,208,629 B1	03/27/2001	Jaszewski et al.	
		US-6,198,924 B1	03/06/2001	Ishii et al.	
		US-6,760,748 B1	07/08/2004	Hakim	
		US-6,111,867	12/12/1997	Mann	
		US-6,574,477	10/06/1999	Rathunde	
		US-6,732,163	01/05/2000	Malasz	
		US-6,215,779	09/22/1998	Bender	
		US-6,636,737	04/10/2000	Hills	
		US-6,738,599	03/14/2002	Black	

FOREIGN PATENT DOCUMENTS					
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³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	09/29/2003	
		First Named Inventor	Vacon	
		Art Unit	2687	
		Examiner Name	Nguyen	
		Attorney Docket Number	160-007	
Sheet	2	of	3	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,483,694	02/20/1996	Vicsek et al.	
		US-6,268,537	07/24/2001	Kashitani et al.	
		US-2004/0054767	03/18/2004	Karaboguz et al.	
		US-5,963,848	10/05/1999	D'Ayello	
		US-5,606,727	02/25/1997	Ueda	
		US-6,208,829	03/10/1999	Jaszewski	
		US-6,574,474	05/20/1998	Njelson	
		US-6,522,881	03/08/2000	Feder	
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³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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		Filing Date	09/29/2003
		First Named Inventor	Vacon
		Group Art Unit	2687
		Examiner Name	Nguyen
		Attorney Docket Number	160-007
Sheet	3	of	3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	2
		IEEE, Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications, Standard 802.11, 1999 edition, Reference number ISO/IEC 8802-11:1999(E), 528 Pages.	
		MICHAEL BARR, "Tower a Smaller Java", Embedded.com, June 14, 2002, Pages 1-9.	
		Moustafa Youssef, "Handling Samples Correlation in the Horus System", IEEE INFOCOM 2004	
		Kim K. Leung, "Integrated Link Adaptation and Power Control for Wireless IP Networks", AT&T Labs-research, January 19, 2000.	
		Ana Zapater et al. "Development and Implementation of a Bluetooth Networking Infrastructure for the a Notebook - University Scenario", Institute of Communications Engineering, University of Hannover, May 13, 2003.	
		Walter Klotz, "Graph Coloring Algorithms", 1999	
		Brent N. Chun et al., "Market-based Proportional resource Sharing for Clusters", University of California at Berkeley computer Science Division, September 1999.	
		The Four Color Theorem, Web page, authors(s) unknown, updated November 13, 1995.	

Examiner Signature	Date Considered
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